

LIBRARIES AND INFORMATION SERVICES DIVISION[286]

Notice of Intended Action

**Proposing rule making related to circulation policies
and providing an opportunity for public comment**

The Commission of Libraries hereby proposes to amend Chapter 1, “Organization and Operation,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 256.52(4).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 256.59.

Purpose and Summary

The proposed amendments add a circulation policy regarding library cards, loan periods, fines, fees, and the suspension of library privileges to the rule describing access to the State Library’s collections.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 286—Chapter 10.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Commission no later than 4:30 p.m. on August 6, 2019. Comments should be directed to:

Michael Scott
State Librarian
State Library of Iowa
Ola Babcock Miller State Office Building
1112 East Grand Avenue
Des Moines, Iowa 50319
Phone: 515.242.5062
Email: michael.scott@iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental

subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Adopt the following **new** subrule 1.5(3):

1.5(3) Definitions.

"Holds" are patron requests to reserve items checked out to other patrons. Materials may be placed on hold through the library's online catalog using a library card. When an item on hold becomes available, the patron placing the hold will be contacted and given five days to pick up the item.

"Individual library card" means a card distributed by the state library that allows a patron to access the library's collections, reference assistance, and online resources.

"Proof of identity and state residence" means a government-issued form of identification with a photo and indication of Iowa residency, including but not limited to a driver's license, a passport, a nonoperator's identification card, or a military identification card; or, for minors, a school identification card.

"Resident" means a person who lives in Iowa or pays property taxes in Iowa.

"State employee library card" means a card distributed by the state library that allows a state employee to access the library's collections, reference assistance, online resources, and interlibrary loan services.

ITEM 2. Adopt the following **new** subrule 1.5(4):

1.5(4) Library cards. A resident of Iowa may obtain an individual library card by providing proof of identity and state residence in person, by mail, or online. A state employee may obtain a state employee library card by providing proof of identity, state residence, and state employment in person, by mail, or online. Cards expire regularly but can be reactivated. Library privileges will be suspended or canceled when a patron's library card has expired.

ITEM 3. Adopt the following **new** subrule 1.5(5):

1.5(5) Circulation of library materials. Circulating materials are checked out for three weeks, and each item may be renewed once if there are no holds on the item. Patrons may renew materials through the library's online catalog.

ITEM 4. Adopt the following **new** subrule 1.5(6):

1.5(6) Fines and fees. Fines are not assessed for overdue materials. Lost, unreturned or damaged materials may incur replacement costs up to \$100. Replacement copies will not be accepted. Library privileges will be suspended or canceled when a patron has outstanding debt to the library.

ITEM 5. Adopt the following **new** subrule 1.5(7):

1.5(7) Library records confidential. Library records are confidential pursuant to Iowa Code section 22.7. The state librarian is the custodian of the library's records.